



UNITED STATES PATENT and TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

Mailed: 7-19-06  
In re application of  
Burris et al.  
Serial No. 10/074,992  
Filed: February 13, 2004  
For: OPERATORY WATER  
DISINFECTION SYSTEM

GC

DECISION ON  
PETITION

This is a decision on the PETITION UNDER 37 CFR 1.181 TO WITHDRAW THE FINALITY OF THE OFFICE ACTION, dated June 7, 2006.

On April 7, 2005, a non-final Office Action was mailed to Applicants. A reply to the Office Action was filed on July 7, 2005. On September 16, 2005 a second non-final Office Action was mailed to Applicants. A reply to the Office Action was filed on December 16, 2005. On March 3, 2006, a Final Office Action was mailed. On June 7, 2006, the present petition was filed.

Petitioner has argued that the finality of the last Office Action is incomplete in that the Office Action does not specifically set forth separate rejections for all the dependent claims, in particular dependent Claims 14, 19, 23, and 25.

**DECISION**

37 CFR § 1.181 Petition to the Director.

(f) The mere filing of a petition will not stay any period for reply that may be running against the application, nor act as a stay of other proceedings. Any petition under this part not filed within two months of the mailing date of the action or notice from which relief is requested may be dismissed as untimely, except as otherwise provided. This two-month period is not extendable.

The instant petition was submitted by Petitioner on June 7, 2006 which falls more than two months after the date of the Final Office Action (March 3, 2006) thereby making the instant petition untimely under 37 CFR 1.181 (f).

The Petition is **DISMISSED**.

*Jacqueline M. Stone*

---

Jacqueline M. Stone, Director  
Technology Center 1700  
Chemical and Materials Engineering

BASCH & NICKERSON LLP  
1777 PENFIELD ROAD  
PENFIELD NY 14526